



**US Army Corps
Of Engineers**
Wilmington District

PUBLIC NOTICE

Issue Date: 25 January 2007
Comment Deadline: 23 February 2007
Corps Action ID #: 2007-00110-350

The Wilmington District, Corps of Engineers (Corps) has received an application from Lonesome Valley Development, LLC, represented by Mr. Shane Robichaud, seeking Department of the Army authorization to impact waters of the United States in order to construct Phase II of the Lonesome Valley residential subdivision in Jackson County, North Carolina. The proposal would permanently impact 0.013 acre of wetlands and 444 linear feet (0.053 acre) of stream for road construction.

Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant:

Lonesome Valley Development, LLC
Attention: Mr. Shane Robichaud
94 Lonesome Valley Road
Post Office Box 3269
Cashiers, North Carolina 28717

Agent:

Clear Water Environmental Consultants, Inc.
Attention: Mr. Clement Riddle
718 Oakland Street
Hendersonville, North Carolina 28791

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act (33 U.S.C. 1344).

Location

The 613-acre project site is located at latitude 35 7 51.5 north and longitude 83 3 46.2 west, near the City of Cashiers, Jackson County, North Carolina. From U.S. Highway 64 in Brevard, travel west toward Cashiers, N.C. After crossing the Lake Toxaway Falls on Highway 64, travel approximately 9 miles west. The site is located on the northern side of Highway 64. The entrance is marked with two stone pillars on either side of the entrance road.

Existing Site Conditions

The entire Lonesome Valley development is 788-acres in size. The proposed project, Phase II of the Lonesome Valley development, is 613-acres in size. The site is bordered by US Highway 64 to the south and private second home resort communities to the east, west, and north. US Highway 64 provides the primary access to the site.

This 613-acre tract primarily consists of mature forest (70%) and is undeveloped. Elevations range from approximately 3,620 feet to 4,150 feet.

The project site contains Logan Creek and numerous unnamed tributaries, all of which drain into Logan Creek. Logan Creek flows into the Horsepasture River just south of US Highway 64. Logan Creek is classified as a Trout Water by the NC Division of Water Quality. The 613-acre tract contains 0.6 acres of jurisdictional wetland and 38,335 linear feet of perennial and intermittent streams.

The project site contains 7 different habitat types. These habitat types include high elevation granitic dome, montane alluvial forest, montane oak-hickory forest, mixed pine/hardwood forest, maintained meadow, wetlands, and stream bed and bank.

Applicant's Stated Purpose

To develop a residential community and associated amenities.

Project Description

The proposed project consists of permanently impacting 0.013 acre of wetlands and 444 linear feet (0.053 acre) of stream for road construction. These proposed impacts would allow the construction of Phase II of the Lonesome Valley residential subdivision and represent the final phase of the master plan for this development.

The primary purpose for this project permit is to build roads that will provide access to the new residential and amenity areas of Lonesome Valley. These roads will require twenty-two stream crossings, thirteen of which have impacts. Impacts associated with these roads will be minimized as two of the crossings are at locations where there is an existing culvert. These two 20 foot culverts will be replaced with 35 foot and 37 foot culverts. Nine bridges/half pipe culverts are also being planned as a way to minimize impacts. There is a total proposed impact of 444 linear feet to perennial and intermittent streams and 0.013 acres of wetlands resulting from twelve road crossings.

There are no proposed permanent or temporary impacts to streams or wetlands onsite resulting from the installation of utilities. It is the intent of the applicant to bring electricity and sewer to the site underground and within the existing road right of ways. In the event that utility lines must cross jurisdictional areas, impacts will be temporary and crossings will be conducted following the USACE and NC Division of Water Quality guidelines and conditions of Nationwide Permit 12, as well as conditions of this Individual Permit.

As mitigation, the application proposes to avoid and preserve 37,891 linear feet of stream, the remaining 0.587 acre of wetlands and approximately 57 acres of upland buffers with a minimum width of 25 feet. The applicant also proposes to restore approximately 570 linear feet of perennial and intermittent stream that is currently flowing down an unnamed tributary of Logan Creek. By evaluating the existing stream channel, a new stream channel will be designed using Natural Stream Channel Design methods (Rosgen) to restore a natural dimension, pattern, and profile to the channel.

- Restoration 570 linear feet perennial and intermittent stream 1.4:1 ratio
- Preservation 37,891 linear feet perennial and intermittent stream with minimum 25 foot buffer 85:1 ratio
- 0.587 wetlands with minimum 25 foot buffer 45:1 ratio

Upon conditional approval, the applicant's stream restoration consultant (Buck Engineering) will prepare final stream restoration designs and plans. These final plans will be submitted to the USACE and NCDWQ to be approved prior to any proposed impacts occurring. Implementation of the mitigation plan will begin immediately upon issuance of a 401 Division of Water Quality Certification and USACE Section 404 Permits on a schedule based upon the growing season. Stream mitigation (preservation and restoration) will be protected in perpetuity under restrictive covenants.

A previous Nationwide Permit (NWP) (file number 200531949) was issued in July 2005 for impacts that facilitated the development of Phase I. Permanent impacts included culverting approximately 146 linear feet of streams for road access, filling approximately 0.03 acre of wetlands for pond construction/expansions, and stabilizing 75 linear feet of eroding bank of Logan Creek. Temporary impacts were associated with four utility crossings of Logan Creek.

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice combined with appropriate application fee at the North Carolina Division of Water Quality central office in Raleigh will constitute initial receipt of an application for a 401 Water Quality Certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the application for certification under Section 401 of the Clean Water Act should do so in writing delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 Attention: Ms Cyndi Karoly by February 23, 2007.

Essential Fish Habitat

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps is not aware of the presence of species listed as threatened or endangered or their critical habitat formally designated pursuant to the Endangered Species Act of 1973 (ESA) within the project area. A final determination on the effects of the proposed project will be made upon additional review of the project and completion of any necessary biological assessment and/or consultation with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service."

Evaluation

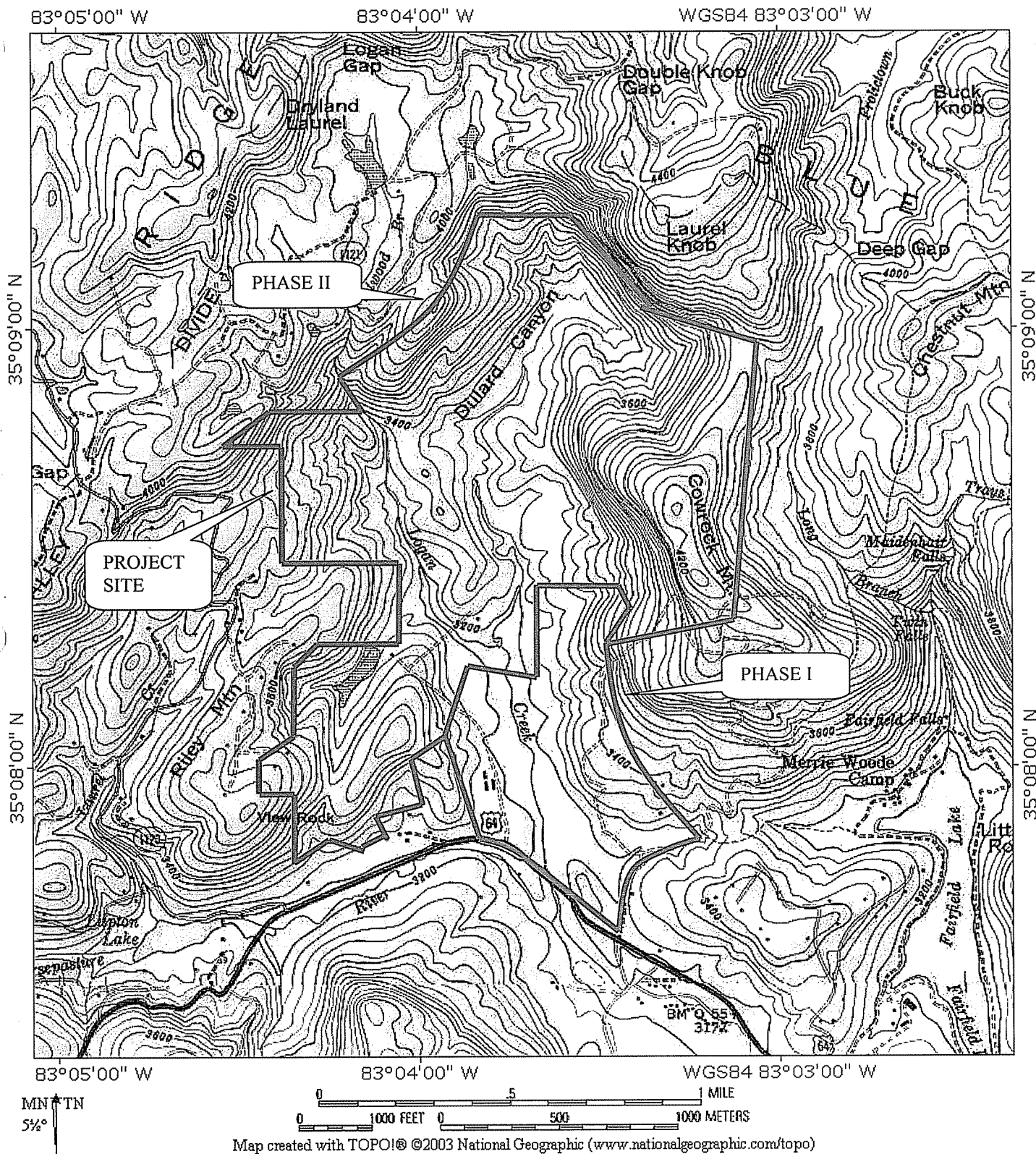
The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

Commenting Information

The Corps of Engineers is soliciting comments from the public; Federal, State and local agencies and officials, including any consolidate State Viewpoint or written position of the Governor; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, February 23, 2007. Comments should be submitted to Ms. Lori Beckwith, Asheville Regulatory Field Office, 151 Patton Avenue, Room 208, Asheville, North Carolina, 28801-5006.



Lonesome Valley
Jackson County
North Carolina

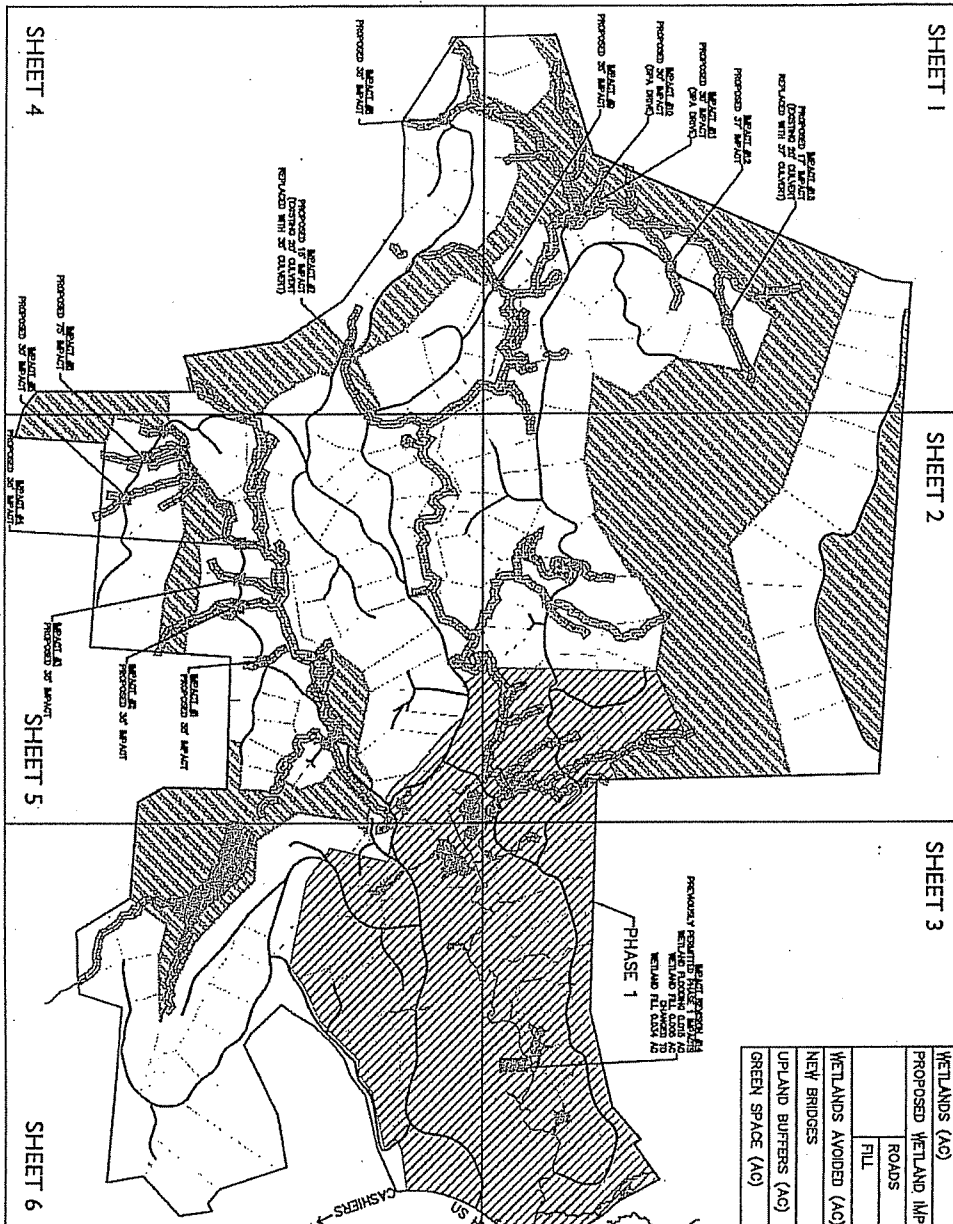
CLEARWATER

Environmental Consultants, Inc.
718 Oakland Street
Hendersonville, NC 28791
828-698-9800

USGS Topographic Site Map
Figure 2

PROJECT SUMMARY

	PHASE 1	PHASE 2	TOTAL
PROJECT AREA (AC)	175	613	788
STREAM (LF)	15,765 ±	38,336 ±	54,100 ±
PROPOSED STREAM IMPACT (LF)			
ROADS	148	444	592
FLOODING	0	0	0
STREAMS AVOIDED (LF)	15,617	37,891	53,508
WETLANDS (AC)	2.32	.6	2.92
PROPOSED WETLAND IMPACT (AC)			
ROADS	0	.013	.013
FILL	.034	0	.034
WETLANDS AVOIDED (AC)	2.286	.667	2.953
NEW BRIDGES	2	9	11
UPLAND BUFFERS (AC)	18 ±	57 ±	75 ±
GREEN SPACE (AC)	86 ±	180 ±	266 ±



PRELIMINARY
NOT FOR CONSTRUCTION

OWNER:
LONESOME VALLEY COMPANY, INC.
NOTES:
-WETLANDS & STREAMS DELINEATED
BY CLEARWATER ENVIRONMENTAL
PHASE 1 PERMITTED JULY 28, 2005
USACE ACTION ID. 200531949

WILLIAM G. LAPSLEY & ASSOCIATES, P.A.
CONSULTING ENGINEERS & LAND PLANNERS



1635 Asheville Highway
Post Office Box 546
Hendersonville, NC 28793
(828) 697-7334
www.wgla.com

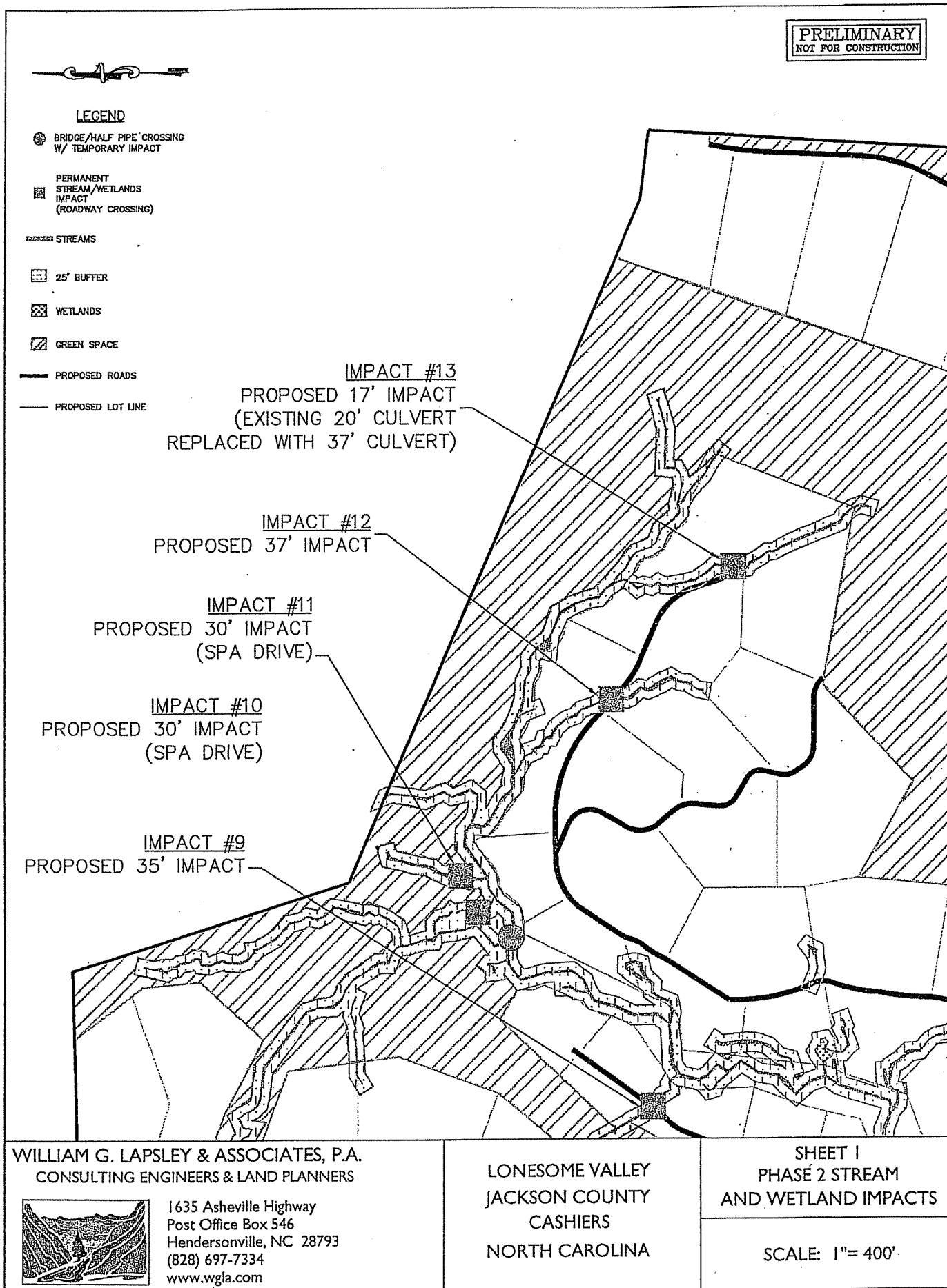
LONESOME VALLEY
JACKSON COUNTY
CASHIERS
NORTH CAROLINA

OVERALL MAP OF
PHASE 2 STREAM
AND WETLAND IMPACTS

SCALE: 1"= N.T.S.

Figure 4

F:\USERSTU\PROJECTS\Lonesome Valley\Project Files\dwg\Impact map Phase 2.dwg, 12/8/2006 9:37:00 AM, 1:400



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Figure 4.1



PRELIMINARY
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LEGEND

BRIDGE/HALF PIPE CROSSING
W/ TEMPORARY IMPACT

PERMANENT
STREAM/WETLANDS
IMPACT
(ROADWAY CROSSING)

STREAMS

25' BUFFER

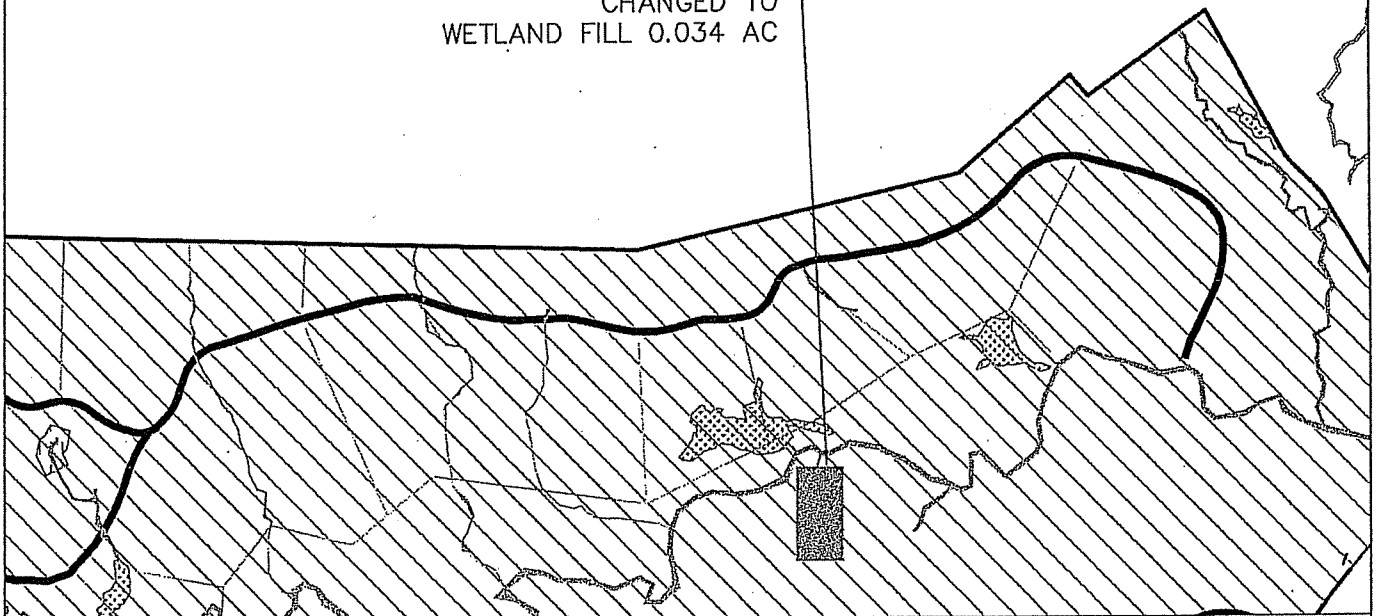
WETLANDS

GREEN SPACE

PROPOSED ROADS

PROPOSED LOT LINE

IMPACT REVISION #14
PREVIOUSLY PERMITTED PHASE 1 IMPACTS
WETLAND FLOODING 0.015 AC
WETLAND FILL 0.005 AC
CHANGED TO
WETLAND FILL 0.034 AC



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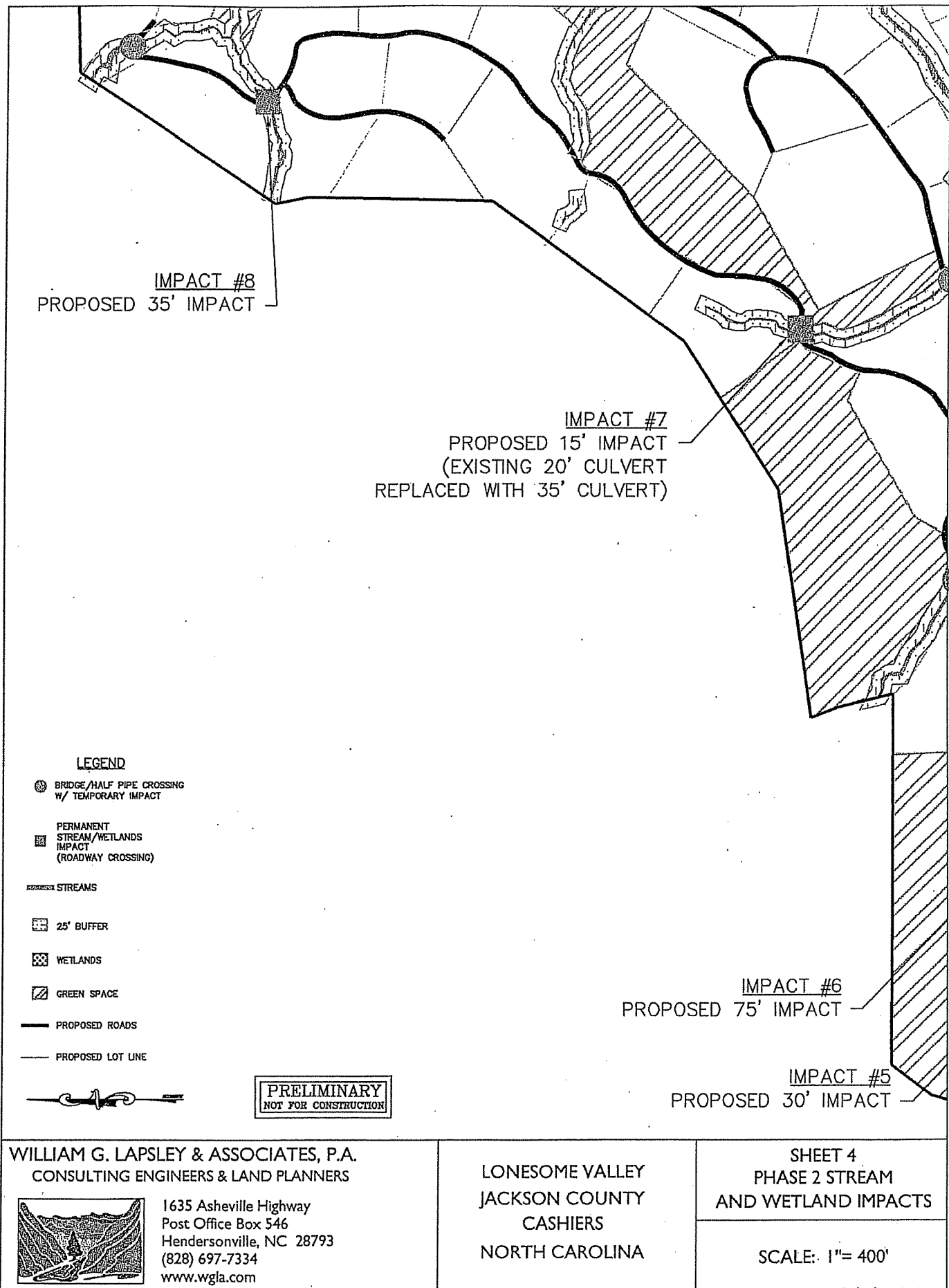
LONESOME VALLEY
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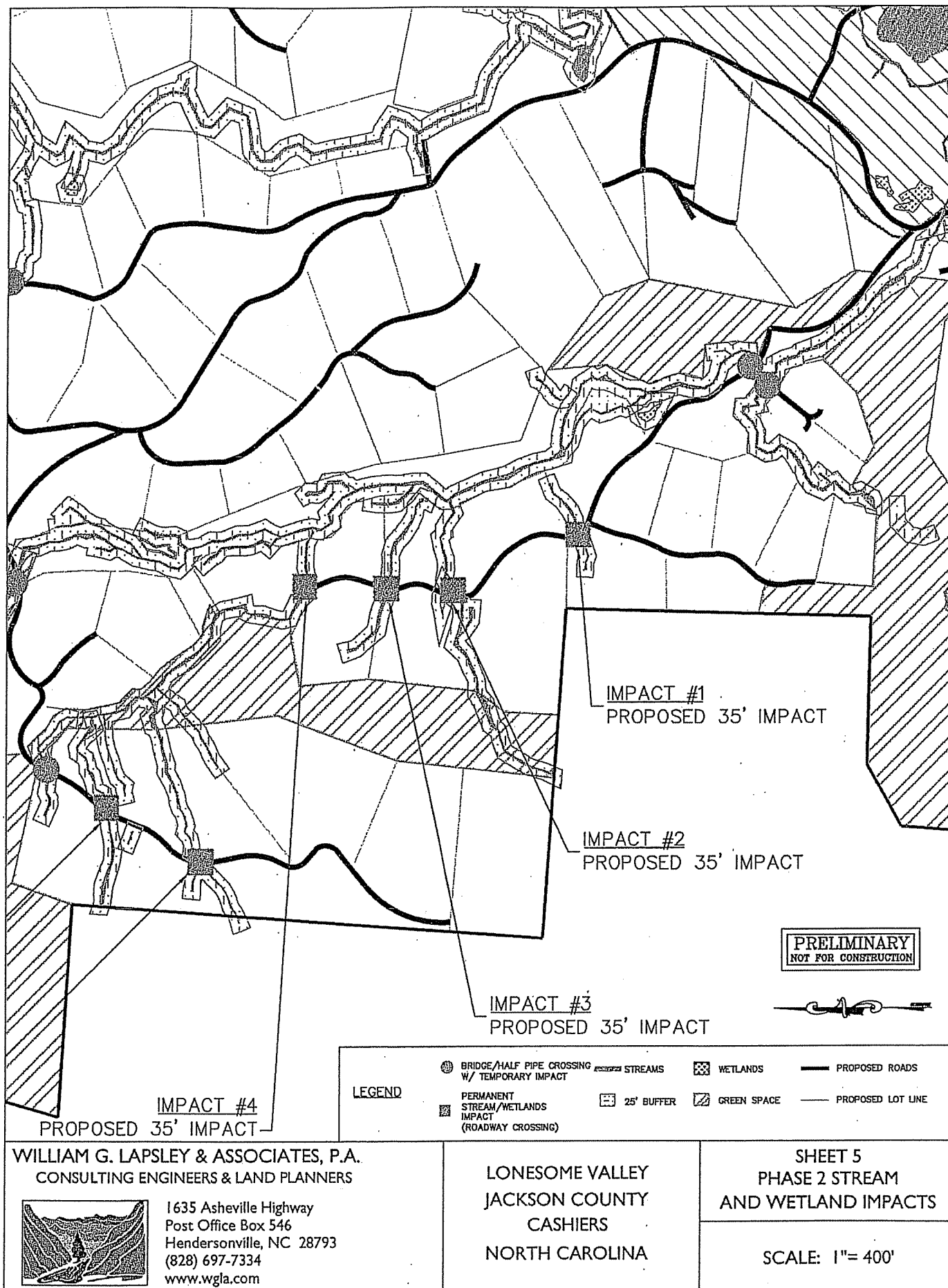
SHEET 3
PHASE 2 STREAM
AND WETLAND IMPACTS

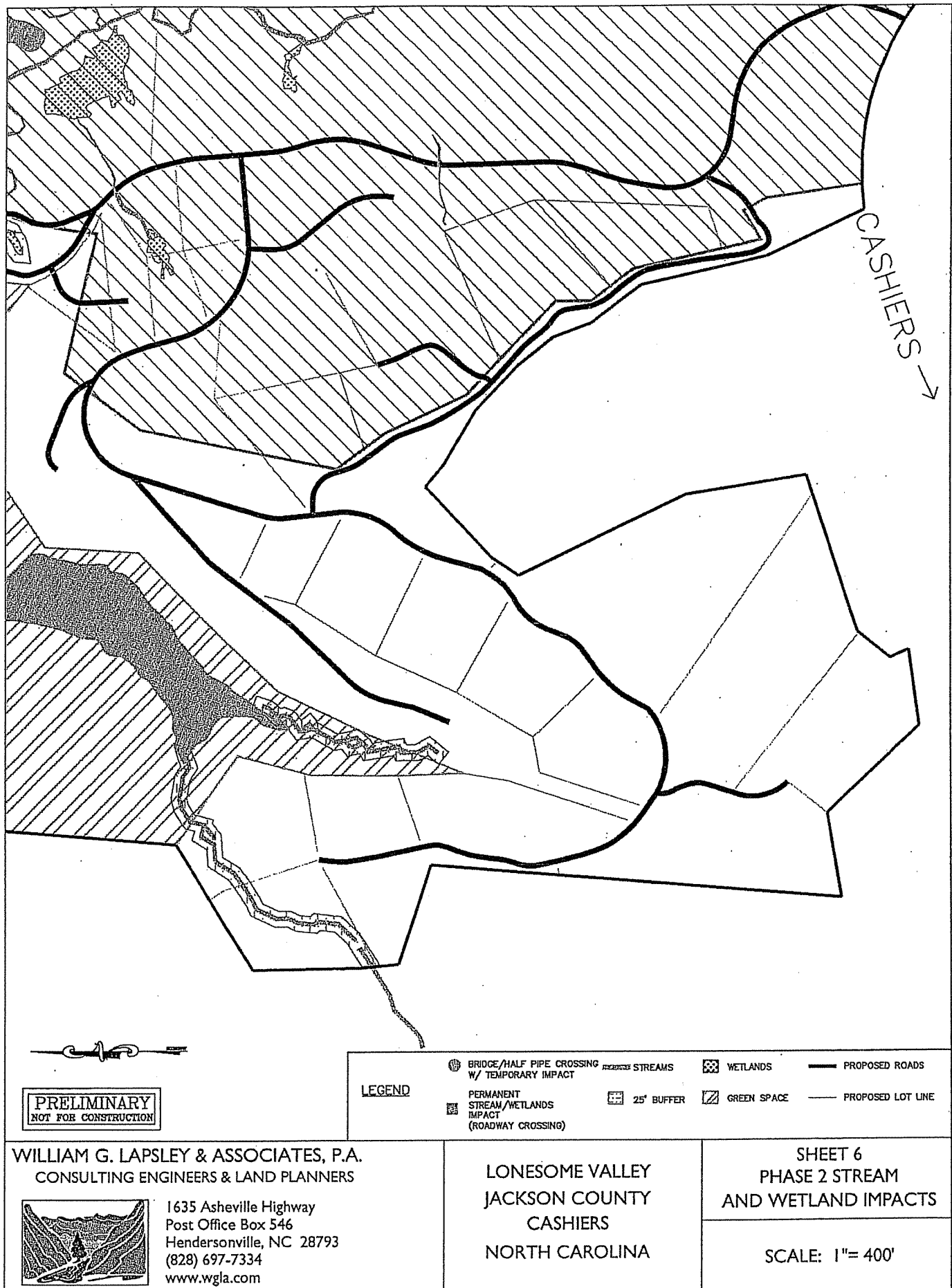
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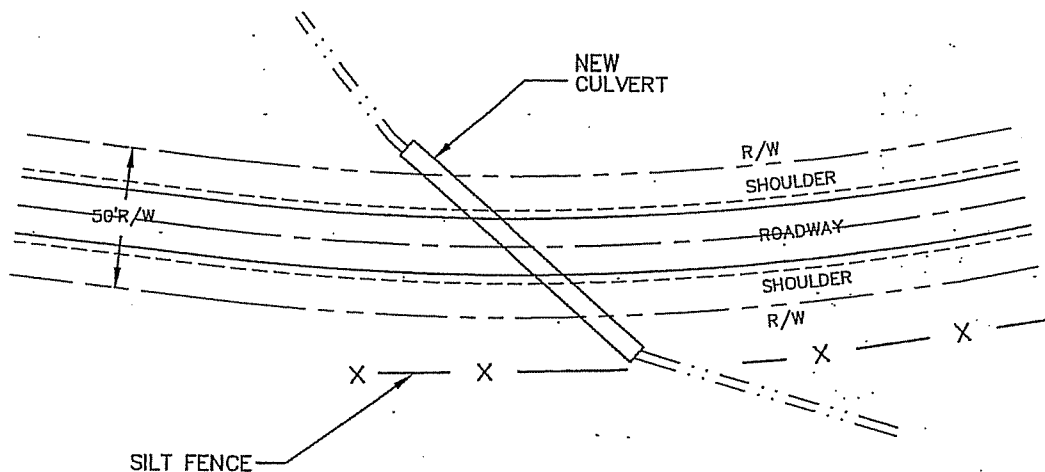
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Figure 4.3



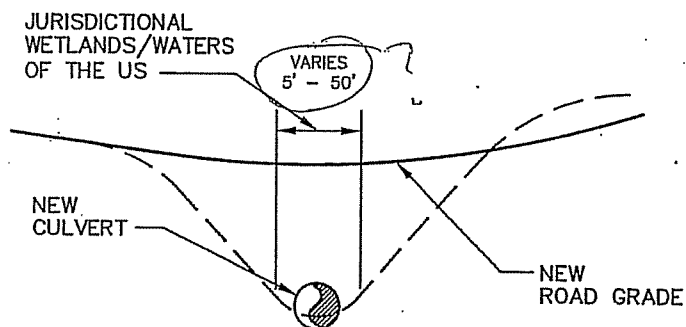






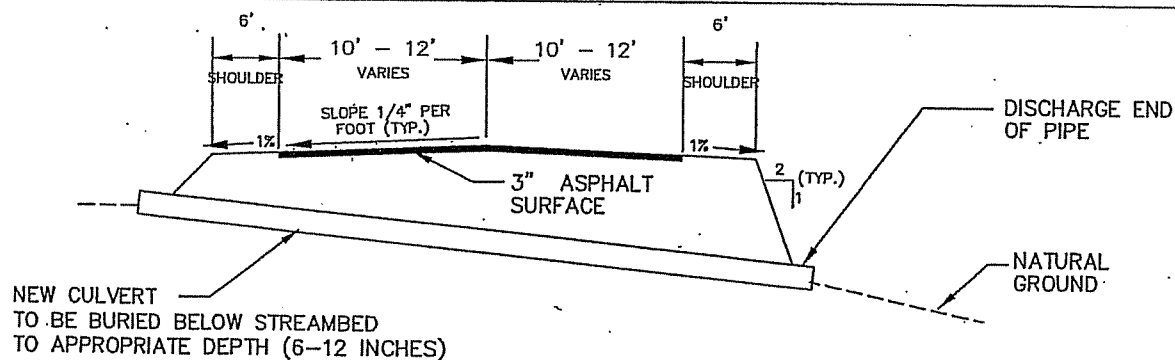
TYPICAL PLAN VIEW

N.T.S.



TYPICAL STREAM CROSSING

N.T.S.



TYPICAL ROAD SECTION

N.T.S.

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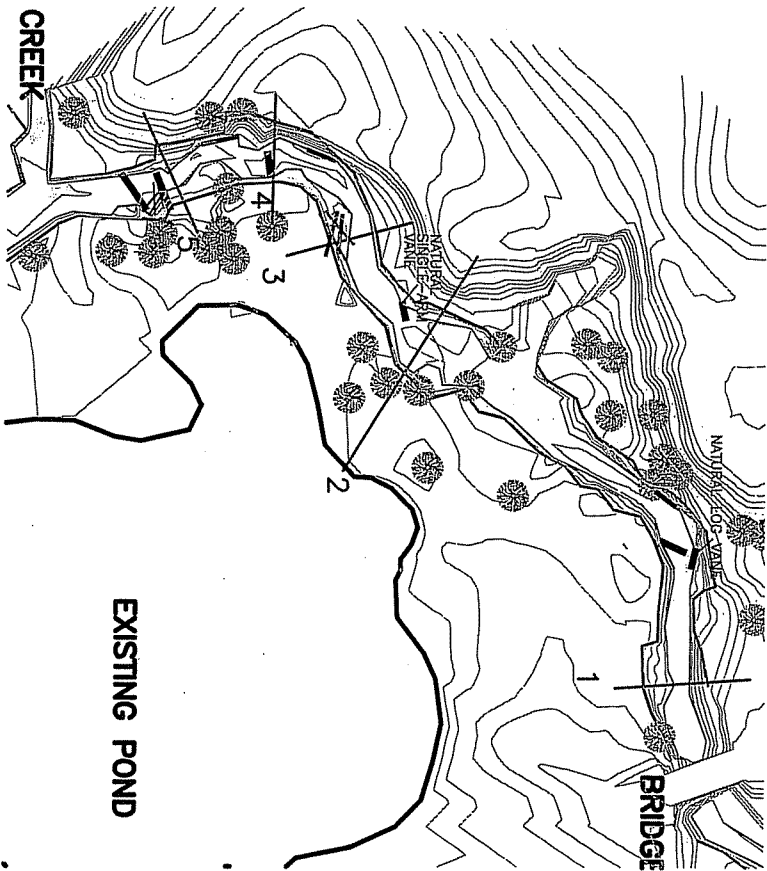


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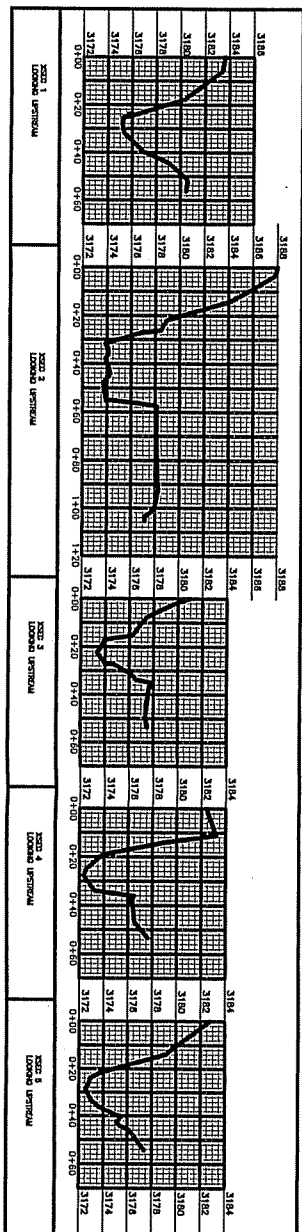
LONESOME VALLEY
JACKSON COUNTY,
NORTH CAROLINA

Figure 5

SCALE: N.T.S.



EXISTING POND



LOGAN CREEK
LONESOME VALLEY - NC
EXISTING CROSS-SECTIONS
FOR CONCEPTUAL

Buck Engineering
A Unit of Michael Baker
797 Heywood Road
Suite 201
Asheville, North Carolina 28806
Phone: 828.350.1408
Fax: 828.350.1409

DESIGNED BY
CHECKED BY
APPROVED BY
DATE

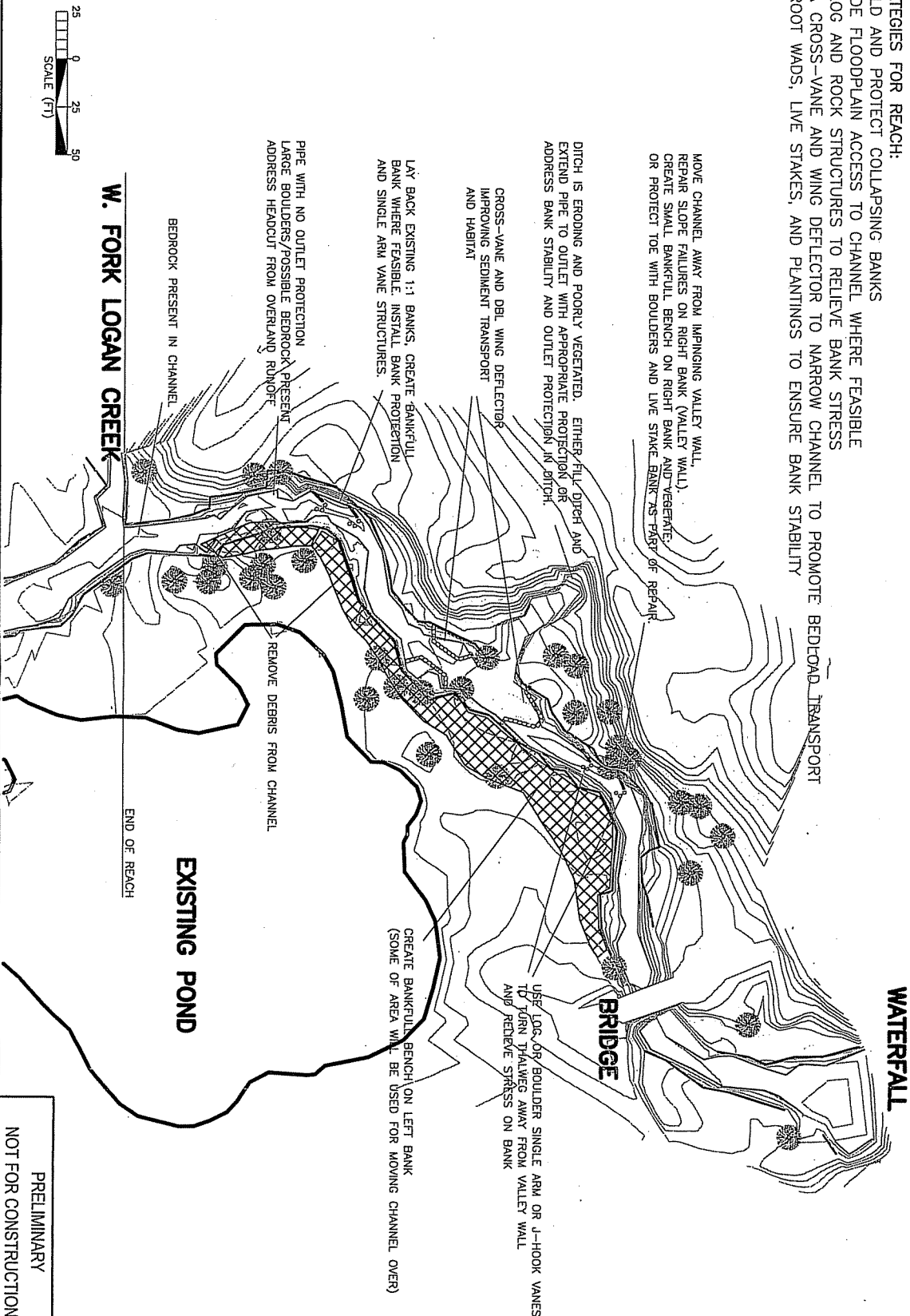
Prepared for the Office of
Lonesome Valley

PRELIMINARY
NOT FOR CONSTRUCTION

Prepared by
Checked by
Drawing Sheet No.
Sheet 1 of 2

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- MAIN STRATEGIES FOR REACH:**
1. REBUILD AND PROTECT COLLAPSING BANKS
 2. PROVIDE FLOODPLAIN ACCESS TO CHANNEL WHERE FEASIBLE
 3. USE LOG AND ROCK STRUCTURES TO RELIEVE BANK STRESS
 4. USE A CROSS-VANE AND WING DEFLECTOR TO NARROW CHANNEL TO PROMOTE BEDLOAD TRANSPORT
 5. USE ROOT WADS, LIVE STAKES, AND PLANTINGS TO ENSURE BANK STABILITY



WATERFALL

BRIDGE

EXISTING POND

W. FORK LOGAN CREEK



LONESOME VALLEY - NC
LOGAN CREEK
CONCEPTUAL RESTORATION

Buck Engineering
A Unit of Michael Baker
797 Haywood Road
Suite 201
Asheville, North Carolina 28806
Phone: 828.350.1408
Fax: 828.350.1409

DESIGNED BY: [Signature]
DRAWN BY: [Signature]
CHECKED BY: [Signature]
DATE: 11/02/08

Prepared for the Office of:
Lonesome Valley

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7/25/2008
Logan Creek
Drawing Sheet No. 10
Sheet 2 of 2

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